

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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STACEY CHERNY, an individual, on his own :  
behalf and on behalf of all similarly situated, :  
Plaintiff, : 08 CV 5359 (VM)  
v. :  
EMIGRANT BANK, a New York State :  
Chartered Savings Bank, and :  
DOES 1 to 100, persons unknown, :  
Defendants. :  
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**RULE 7.1 STATEMENT**

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Emigrant Bank (a private non-governmental party) certifies that Emigrant Bank has no corporate parents, affiliates, and/or subsidiaries that are publicly held.

Dated: July 31, 2008  
New York, New York

Respectfully submitted,

**CONSTANTINE CANNON LLP**



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